

**AMENDMENTS TO THE DRAWINGS**

Please amend the figures as shown in the enclosed replacement sheets. The attached sheets of drawings includes changes to label Figures 12-15 as "Prior Art."

**REMARKS**

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for indicating that claims 1-4 and 6 are allowed. Applicant further thanks the Examiner for indicating that claims 5, 7, 8, 13, and 16-18 contain allowable subject matter.

**Disposition of Claims**

Claims 1-18 are pending in this application. Claims 1, 9, 12, and 15 are independent. Claims 13, 14, 16, and 17 have been canceled. The remaining claims depend, directly or indirectly, from claims 1, 9, 12 and 15. Claims 1-4 and 6 are allowed.

**Objections**

Claims 13, 16, and 18 are objected to as being dependent upon a rejected base claim. The Examiner noted that these claims would be allowable if rewritten in independent form including all the limitations of the base claim. Independent claim 12 has been amended to incorporate the limitations of dependent claim 13. Claim 13, therefore, has been canceled. Independent claim 15 has been amended to incorporate the limitations of dependent claim 16. Claim 16, therefore, has been canceled, and claim 18 now depends from amended claim 15. Thus, withdrawal of the objection is respectfully requested.

**Rejections under 35 U.S.C. § 112**

Claims 5, 7, 8, 11, and 17 were rejected under 35 U.S.C. § 112 as indefinite. Claims 5, 7, 8, 11, and 17 have been amended in this reply in view of this rejection. Specifically, claim 5 was amended to clearly state that the control means controls the decrease rate of the torque to be transmitted, in accordance with a time constant. Further details and support for this claim can be found on page 34 of the specification. Claims 7, 8, 11, and 17 were amended to ensure antecedent basis is provided for elements of the claims. Withdrawal of the rejection is requested.

**Rejections under 35 U.S.C. § 102**

Claims 9, 12, 14, and 15 were rejected under 35 U.S.C. § 102 as anticipated by U.S. Patent 4,711,333, issued to Okamura ("Okamura"). Claim 12 has been amended to incorporate the limitations of claim 13, which the Examiner noted would be allowable if rewritten in independent form including the limitations of the base claim. Therefore, Applicant believes claim 12 is now allowable. Claims 13 and 14 have been canceled in this response. Thus, this rejection is now moot. Claim 15 has been amended to incorporate the limitations of claim 16, which the Examiner noted would be allowable if rewritten in independent form including the limitation of the base claim. Therefore, Applicant believes claim 15 is now allowable. Claims 16 and 17 have been canceled.

Claim 9 has been amended in this response to clarify the invention. Specifically, claim 9 recites a power transfer apparatus of a four-wheel drive vehicle, comprising a clutch that distributes torque generated by an engine via transmission between a primary wheel and a secondary wheel, a gear shift status detection means for detecting the state of gear shift of the transmission, wherein the state of gear shift of the transmission is a gear shifting inversion of the transmission, and control means for controlling the clutch in such a manner that the torque to be transmitted by the clutch attains a target value in accordance with a gear shift status signal detected by the gear shift status detection means.

Okamura discloses a system for controlling a transfer clutch of a four-wheel drive vehicle. More specifically, Okamura discloses a control system having a vehicle speed sensor provided to detect vehicle speed and to produce a vehicle speed signal, means for providing an engine torque signal, first control means responsive to the vehicle speed signal and the engine torque signal, detector means responsive to a transfer clutch torque capacity reducing signal, and second control means responsive to the clutch torque reducing signal. However, Okamura fails to show or suggest a state of gear shift of the transmission that is a gear shifting inversion of the transmission, as is now claimed. Accordingly, Okamura cannot anticipate the amended claims. Withdrawal of the rejection is respectfully requested.

**Rejections under 35 U.S.C. § 103**

Claims 10 and 11 were rejected under 35 U.S.C. § 103 as being unpatentable over Okamura in view of U.S. Patent 4,718,303, issued to Fogelberg ("Fogelberg"). Claims 10 and 11 depend from independent claim 9. Claim 9 has been amended in this response to clarify the present invention, as set forth above. To the extent the rejection may still apply to the amended claims, the rejection is respectfully traversed.

As explained above, Okamura fails to show or suggest a state of gear shift of the transmission that is a gear shifting inversion of the transmission.


Fogelberg discloses a four-wheel drive transfer case having a three element planetary gear differential connected to the output shaft of a transmission and having two output shafts. The transfer case further includes an electromagnetically actuated friction clutch assembly. However, Fogelberg fails to show what Okamura lacks. Specifically, Fogelberg fails to show or suggest a state of gear shift of the transmission that is a gear shifting inversion of the transmission.

Because neither Okamura nor Fogelberg shows or suggests the claimed feature, the references, whether considered singly or in combination, fail to render obvious the invention as claimed. Accordingly, withdrawal of the rejection is requested.

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 04995/120001).

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Attachments